

REMARKS

Claims 1 through 6, 11 through 13, 17, 19 through 22 and 27 through 31 continue to be under consideration.

The Office Action refers to Election of Restrictions

1. Applicant's election without traverse of species C in the reply filed on 08/15/05 is acknowledged. However, claims 7-10 (fixedly attached), 14-16 and 23 (Fig. 4a) are withdrawn as being directed to species not elected, i.e., extensions (i.e., ratchet extension and extension shaft) and power tool including the subcombination of the extensions not including all of the limitations of the species elected, i.e., extension and shaft both removably attached at both ends, but since claim 31 appears to define the subcombination of Fig. 3, (respectively mounting), its parent claim 19 is also examined as directed to embodiment wherein the "attachment" is defined per claim 31.

The present amendment is deemed to substantially narrow some of the claims. While the present amendment is concerned with claims under consideration, it is noted that each Figure does not repeat invention features from the other drawings. For

example, Figure 3 does not show at this time a ratchet handle or a ratchet handle even though a ratchet handle and a ratchet head are integral parts of the invention.

The Office Action refers to Claim Objections.

2. Claims 5, 6 and 28 are objected to because of the following informalities: with regards to claims 5 and 6, it appears a kit is being claimed which includes a power tool with a plurality of detachable ratchet extensions and extension shafts. In claim 28, "(204)" should be amended, e.g., changed to (104). Appropriate correction is required.

Claims 5 and 6 indeed refer to a ratchet set including a plurality of different length extension pieces. The claim preambles are being changed accordingly.

Claim 28 has been amended and corrected as kindly suggested by the Examiner.

The Office Action refers to Claim Rejections - 35 USC § 102.

4. Claims 1, 3, 5 and 11 stand rejected under 35 U.S.C. 102(b) as being anticipated by Lampe, US Patent No. 2,808,749.

Lampke discloses all the limitations of the above claims 1, i.e., power wrench comprising a handle containing a motor (e.g., 67); a ratchet extension (41) attached to the handle; a ratchet extension shaft (55) attached to the handle and a ratchet head (1); and the ratchet head (1) attached to the extension and the shaft, wherein the extension and the shaft are removable; a plurality of removable extension (41, 67, 81) and a plurality of removable shafts (55, 77) each separately removable.

The claims have been amended to focus on features like the ratchet extension being insertable between a ratchet handle and a ratchet head.

The claims are now focusing on the assembly features of ratchet handle, ratchet extension and ratchet head.

5. Claims 1, 3, 11-13, 17, 19-22 and 27-31 stand rejected under 35 U.S.C. 102(b) as being clearly anticipated by Hendrickson, US Patent No. 3,430,510.

Hendrickson discloses all the limitations of the above claims, i.e., power wrench comprising a handle containing a motor (48); a ratchet extension (11 and 50) attached to the handle; a ratchet extension shaft (2) attached to the handle and a ratchet head (1); and the ratchet head (1) attached to the extension and the shaft, wherein the extension and the shaft are removable, i.e., Fig. 2.

Applicant respectfully disagrees. Hendrickson does not show a ratchet extension, which can be inserted between a ratchet handle and a ratchet head.

Regarding claims 12, 13, 17, 19-22 and 27-31, a pneumatic motor as disclosed in (04:56) would inherently meet all of the limitations of claims 12, 17 and 19 including ratchet head having a socket mount (56) attached to the extension (4, 34) and the shaft (socket accommodating 49), first end of the shaft attached to the handle (at 26, 27, 53), wherein the extension (2) includes an interface collar, i.e., the end adjacent to (53) slipped over (50) at a first end and a head mount (4) at the second end; a drive tang (49) at the second end of the shaft; a ratchet head drive shaft (socket accommodating 49); a drive shaft (54) attached to the handle engaging a drive socket (53) (see phantom lines Fig. 2); ratchet head being demountable (34); extension (2) being tubular (03:41); and the shaft is solid rod (11 and/or 15. i.e., solid and a thin straight piece or bar of material); wherein the shaft is connected to the pneumatic drive (at 53) and the socket mount (56) is rotationally transferring connected to the shaft (at 49 and/or 9); wherein the shaft is disposed in the extension freely rotating; wherein the extension (2) surrounds the shaft (11) without contact; and wherein the extension (2) and the shaft (11 and/or 15) are separate elements.

While element 4 of Hendrickson is (column 4, line 7) an end wall portion, it is not an extension to be placed between a ratchet handle and a ratchet head.

6. Claims 1 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Frenkel (5,709,136).

Frenkel discloses all the limitations of claims 1 and 11, Le., power ratchet having a lever arm comprising; ratchet extensions (28); ratchet extension shafts (34).

Applicant disagrees.

Frenkel teaches that an important feature is the provision of a drive adapter between the head and a power drive for driving the socket. Thus Frenkel himself says that he has an adapter and not an extension to be placed between ratchet handle and ratchet head.

The Office Action refers to Claim Rejections - 35 USC § 103.

8. Claims 2 and 4 stand rejected under 35 U.S.C. 103(a) as being unpatentable over anyone of Lampke, Hendrickson and Frenkel.

Each of the above mentioned prior art meets the limitations of the above claims except for disclosing an extension and a shaft having a length between 6 to thirty inches. It would have been obvious to one having ordinary skill in the art at the time the Invention was made to use an extension and a corresponding shaft having a length of approximately 6-30", since it has been held that changing shape, dependent on work-piece parameters, involves only routine skill in the art. *In re Stevens*, 101 US PQ 284(CCPA1954).

Applicant respectfully disagrees. None of the references applied teaches a ratchet extension. Applicant urges that there is no teaching in the references regarding an extension to be insertable between a ratchet handle and a ratchet head, there is absolutely no suggestion in the references applied as to the length of such extension.

9. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hendrickson in view of Frenkel.

Hendrickson meets all of the limitations of claims 5 and 6, except for disclosing a plurality of extensions and shafts and for disclosing the range or a specific size of the extensions.

Applicant respectfully disagrees. Hendrickson teaches a housing and not an extension.

Frankel teaches providing a plurality of extensions and shafts. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a plurality of extensions and shafts as taught by Frenkel in adapting the tool for use in confined spaces. Choosing a specific size, e.g., 8" is considered modification within the knowledge of one of ordinary skill in the art dependent on work-piece/operational parameters as indicated above.

Applicant respectfully disagrees. Frenkel teaches an adapter and not an extension.

Applicant urges that where Hendrickson and Frenkel agree not to furnish an extension, a person of ordinary skill in the art will not contradict the references.

10. Claim 6 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Lampke.

Lampke meets all of the limitations of claim 6, except for disclosing a plurality of disclosing the range or a specific size of the extensions, modification within the knowledge of one of ordinary skill in the art dependent on work-piece/operational parameters as indicated above.

11. Claims 12, 13, 17, 19-22 and 27-31 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Lampke in view of Hendrickson.

Lampke meet the limitations of the above claims, except for disclosing an air power wrench.

Applicant respectfully disagrees. Lampke teaches shortening of a power tool, but not extension of a ratchet.

The Office Action concludes:

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a pneumatic wrench as taught by Hendrickson, 04:56 in adapting the invention for application requiring pneumatic drive.

Lampke in view of Hendrickson disclose all of the different types of connection between the head and the handle as indicated above.

Applicant respectfully disagrees. Lampke and Hendrickson agree not to provide an extension between a ratchet handle and a ratchet head.

The Office Action refers to Response to Arguments

13. Applicant's arguments filed on 10/15/04 and 11/08/04 have been fully considered but they are not persuasive. The argument that Lampke and Hendrickson do not teach an air drive motor is not persuasive, since using or applying the invention of Lampke to an air power tool is well within the power of one of ordinary skill in the art and since Hendrickson does disclose the use of an air gun and an extension (2).

Applicant respectfully submits that Lampke teaches the shortening of a wrench, but nothing about an extension to be inserted between a ratchet handle and ratchet head.

Hendrickson does not teach an extension (2) but rather a drive shaft housing (2). There is no suggestion in the Hendrickson reference to put an extension between a ratchet handle and a ratchet head.

Reconsideration of all outstanding rejections is respectfully requested.

All claims as presently submitted are deemed to be in form for allowance and an early notice of allowance is earnestly solicited.

Respectfully submitted,

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